

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Case No. 7:21-CV-00216-M

WILLIAM D. WOOLENS,

Plaintiff,

v.

CHARLENE D. RUCKLE/CLIBORNE,

Defendant.

ORDER

This matter comes before the court on a Memorandum & Recommendation issued by United States Magistrate Judge Robert B. Jones, Jr. ("M&R"). DE 4. Pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), Judge Jones recommends that this court dismiss the complaint pursuant to 28 U.S.C. § 1915(e) for the court's lack of subject-matter jurisdiction and for Plaintiff's failure to state a claim for relief. To date, no objection has been filed.¹


A magistrate judge's recommendation carries no presumptive weight. The court "may accept, reject, or modify, in whole or in part, the . . . recommendation[] . . . receive further evidence or recommit the matter to the magistrate judge with instructions." 28 U.S.C. § 636(b)(1); *accord Mathews v. Weber*, 423 U.S. 261, 271 (1976). The court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* § 636(b)(1). Absent a specific and timely objection, the court reviews only for "clear

¹ Judge Jones issued the M&R on March 24, 2022. Objections were due to be filed on or before April 7, 2022. See DE 26. The M&R was submitted to this court for disposition on April 11, 2022.

error” and need not give any explanation for adopting the recommendation. *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

Upon careful review of the M&R and the record presented, and finding no clear error, the court ADOPTS the recommendation of the magistrate judge as its own. For the reasons stated therein, the Complaint is dismissed for the court’s lack of subject-matter jurisdiction and for Plaintiff’s failure to state a claim for relief. The Clerk of Court is directed to close this case.

SO ORDERED this 12th day of April, 2022.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE